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STRATEGIC ANALYSIS OF THE WAR ON DRUGS

BY

MR. KENNETH M. O'CONNOR Drug Enforcement Administration

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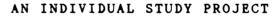
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STRATEGIC ANALYSIS OF THE WAR ON DRUGS



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ABSTRACT

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The term "war on drugs" has received considerable acceptance to describe the efforts of our government and nation to rid our society of drug trafficking. This paper provides a strategic analysis of the war on drugs, first by discussing the negative consequences which drug trafficking are having on society domestically and the adverse impacts on friendly governments, particularly in Latin America. A review of the various strategies used to combat drug trafficking to date is provided, showing that the strategy has changed several times in the recent past. Unintended consequences resulting from these various strategies are discussed. And lastly, an analysis is conducted of the war on drugs from a Clausewitzian perspective to determine if the principles of war which the noted Prussian military strategist espoused are appropriate to the drug war, and if they are being followed. This paper concludes by briefly comparing the drug war to the cold war, and postulates that the same basic American ideals of life, liberty and the pursuit of happiness were and are at stake in both wars.

INTRODUCTION

Today, America faces a problem of daunting complexity. It is one that, if unchecked, may have no limits or boundaries. It is an equal opportunity problem—a sort of cancer—that attacks the young and the old, the rich and the poor, the white population, the black population, the Hispanic community, as well as every other social strata. That problem is drug abuse.

People use and abuse drugs for practically the full spectrum of reasons. Some use drugs because they are poor and seek escape from reality of ghetto life. Others use drugs because they are rich and seek some greater form of pleasure or high to experience. Some use drugs because they are bored with nothing to do, while others use drugs because they have too much to do.

The term "war on drugs" has received considerable acceptance to describe the efforts of the government and our nation to rid our society of this plague. This paper will attempt to conduct a strategic analysis of our war on drugs. Given the influence which Klaus von Clausewitz, the Prussian military strategist, is having on U.S. military strategy today, I will attempt to determine if the war on drugs meets the principles of war which he espoused.

BACKGROUND

America's flirtation with drugs can be traced back to the 1800's. In an article entitled "America's First Cocaine Epidemic," David F. Musto notes that cocaine use started in 1885. The historical parallels with regard to cocaine use then and today are almost astonishing.

Encouraged by the nation's leading medical authorities, and with no laws restricting the sale, consumption, or advertising of cocaine (or any other drugs), entrepreneurs quickly made cocaine an elixir for the masses. Lasting from around 1885 to the 1920s, America's first great cocaine epidemic went through three phases: the introduction during the 1880s, as cocaine rapidly gained acceptance; a middle period, when its use spread and its ill effects came to light; and a final, repressive stage after the turn of the century, when cocaine became the most feared of all illicit drugs.¹

Mr. Musto further noted that in 1885:

For consumers on a budget, the new wonder drug was available in less exalted forms. Coca-Cola, for example, contained a minute amount of cocaine--enough to provide a noticeable lift, if not a "high" . . . to relieve headaches and cure "all nervous affections." With the successful marketing of Coca-Cola and similar refreshers, the neighborhood drugstore soda fountain of late-19th-century America came to serve as the poor man's Saratoga Springs. There, the weary citizen could choose from among dozens of soda pop pick-me-ups, including . . . one with the simple and direct name, Dope.²

The parallel to the current crack phenomenon is remarkable.

Crack was in essence invented for "consumers on a budget," and

its appeal spread to those in the inner cities who previously had

not been able to afford cocaine. Paradoxically, after addiction, crack is more costly a habit to sustain than is cocaine.

In 1910, in response to public concern about a rising crime rate being related to the widespread use of cocaine, President

Taft presented a report to Congress which stated in part:

The illicit sale of [cocaine] . . . and the habitual use of it temporarily raises the power of a criminal to a point where in resisting arrest there is no hesitation to murder. It is more appalling in its effects than any other habit-forming drug used in the United States.³

Reacting to the continuing concern over the negative effects cocaine was having on society, in December, 1914, Congress passed the Harrison Act, which tightly regulated the distribution and sale of cocaine and other drugs. Public demands for stronger drug law enforcement brought the problem under control.

The drug problem again emerged in the early 1900s. Faced with mounting concern over drug use, President Kennedy convened a White House Conference on Narcotics and Drug Abuse in September 1962. At that time the principal drug of choice was heroin. The hard core use of drugs was basically confined to inner cities and was viewed as resulting more from poverty than other causes. The theory on how to attack the problem was to deal with the underlying social factors (poverty, unemployment, housing).

In the latter part of the 1960s the drug culture had expanded considerably in the arts and entertainment industries, to college campuses, and to the young in general. At that time, the principal drug of choice was marihuana and to a lesser degree cocaine.

Debate over the benign nature of cocaine again surfaced in the late 1960's when cocaine use became far more prevalent.

Although written in 1974, the following excerpt is indicative of the debate at that time. Dr. Peter Bourne, who later became President Carter's drug policy advisor, wrote:

Cocaine is probably the most benign of illicit drugs currently in widespread use. At least as strong a case could be made for legalizing it as for legalizing marihuana. Short acting--about 15 minutes--not physically addicting, and acutely pleasurable, cocaine has found increasing favor at all socioeconomic levels in the last year. . . 5

Robert Stutman. formerly with the Drug Enforcement

Administration, noted that the debate over the addictive nature of cocaine did not subside until after 1982.6

Mary H. Cooper, a writer for Editorial Research Reports, advises that President Nixon was the first President to formally declare a "war on drugs." Kevin Zeese of the Drug Policy Foundation reported that the drug issue was a contributing factor to his election in 1968. Somewhat prematurely, in 1973, President Nixon announced the United States "had turned the corner on addiction."

It is generally considered that the next declaration of war against drugs was issued by President Reagan. No formal declaration per se exists, so the exact date when war was declared is subject to interpretation. One interpretation attributes the declaration to February, 1982, when Vice President Bush was appointed in charge of a newly formed South Florida Task Force to stem the tide of drugs entering the country. This task

force was comprised of representatives of every federal agency which wa involved in the drug issue as well as state and local representatives. Others interpret the declaration in a more legalistic sense and point to April 8, 1986, when President Reagan signed National Security Decision Directive 221 which formally determined drug trafficking to be a threat to U.S. National Security. And still a third interpretation is that war was not declared until September 14, 1986, when President Reagan in a televised address called for the nation to "mobilize for a national crusade against drugs." In that address President Reagan stated that "drug use is a repudiation of everything America is, and that the destructiveness and wreckage mock our heritage."

President Bush indicated in his inaugural speech that he intended to continue on with the effort. When discussing drug abuse, he stated, "Take my word for it, this scourge will stop." He chose the topic of drugs for his first televised address to the nation. In that speech, the President stated, "The gravest domestic threat facing our nation is drugs. . . . Our most serious problem today is cocaine." 14

Others, however, have questioned the Government's resolve, and some even question whether war has ever been declared. Upon his resignation from the position of Commissioner of Customs in August, 1989, William von Robb questioned the government's commitment to the drug effort, stating, "We are fighting an uninspired war of attrition." He called the State Department "conscientious objectors in the war on drugs." 16

In 1988 Lt. General Stephen Olmstead, Deputy Assistant Secretary of Defense for Drug Policy and Enforcement, also questioned whether the nation was truly in a drug war.

In describing our current anti-drug abuse efforts, I often hear the word "war." I have a few years of experience in war and don't think we're in a war. War, defined by Clausewitz at least, is a total commitment of a nation. I currently do not find that. 17

ANALYSIS OF THE THREAT

Domestic Impact

Domestically the threat can be analyzed from three perspectives: economic, governmental and social. To understand the magnitude of the drug problem, I believe it would be helpful to review some statistics on drug use in America. The National Institute on Drug Abuse (NIDA) conducts a survey annually, entitled the National Household Survey on Drug Abuse. The following data are from the 1990 survey, as reported in the Pebruary, 1991, National Drug Control Strategy. It is currently estimated that 12.9 million Americans use drugs on a regular basis, that is, at least once during a 30-day time period. Of that number 1.6 million of the users are between the ages of 12-17 years old. The typical cocaine user is a white, middle-aged male who purchases his drugs from a black male. The National Institute on Drug Abuse estimates that 68% of drug users are employed, either full or part time.

More than one million people are confined in U.S. prisons and jails.²² Nearly 50% of Pederal prison inmates and 75% of

State prison inmates have used drugs. In major cities, as many as 80% of those arrested for serious crimes tested positive for drug use.²³ In January 1990, the combined Federal and State prison populations were approximately 116% of rated capacity.²⁴ It is estimated that U.S. prison costs have risen 1720% since 1970, with most of this cost borne by state and local governments.²⁵

Economic Impact

The drug problem adversely impacts on every American from an economic perspective. As the following discussion will indicate, the direct cost of the drug problem is in excess of \$110 B. The indirect cost is an additional \$110 B, which is spent on buying drugs rather than put to productive use in the economy.

The governmental cost most frequently quoted is the federal government's budget of \$10.5 B in FY 91 (which is proposed to rise to \$11.7 B in FY 92). However, the far greater cost to the taxpayer is borne by state and local governments. That cost was estimated to be \$40 B in 1989 and most assuredly has increased since then. 26 In testifying before Congress, the former head of the Office of National Drug Control Policy, William Bennett, estimated that state and local governments would need to spend an additional \$12 B on prison costs alone to meet the goals established in the September, 1989, National Drug Control Strategy. 27 The Drug Control Strategy notes that 92% of all drug violators are arrested by state and local authorities. Thus, the combined federal, state and local cost to government exceeds \$50 B.

In 1988 the Chamber of Commerce estimated that the cost of drug use to the corporate sector in terms of lost productivity was \$60 B.28 To understand what that means on a more personal level. Roger Smith, chief executive officer of the General Motors Corporation, estimates that the average price of each American made car must be increased by \$400 to offset the cost of substance abuse.29 The same analogy can be made of other consumer products as well. Given the added cost which U.S. manufacturers must pass on to the consumer, it is no wonder that America is falling behind our competitors in the market place. The cumulative direct cost to the American public is in excess of \$110 B, when the governmental costs and business costs are combined.

Sincidentally, it is estimated that Americans also spend \$110 B annually on illegal drugs.³⁰ The vast majority of this money leaves this country. One could therefore argue that the full cost to the U.S. economy far exceeds the \$110 B of direct cost stated earlier, as this additional \$110 B would be put into legitimate and productive use in the United States, and the Government would receive tax revenues from its use.

Ironically, Americans fund both sides of the war effort.

Our taxes pay for our government's effort, and the illegal transfer to drug dealers funds their efforts. In that their profit margin is so large (and untaxed), drug traffickers often have better tools and more state of the art equipment than does the Government. The government's expenses must continuously rise to meet the new level of threat.

If the President's drug control budget request for 1992 is passed, the Pederal expenditure for the drug effort will have risen approximately 1000% since 1981. Given the recent propensity of Congress to not only match the President's drug budget requests but to increase them, it is reasonable to assume a ten fold increase is more than likely. It is noteworthy to mention that increases in this area will almost assuredly cause cutbacks in other areas given the spending constraints of the latest budget summit.

Governmental Services

The total governmental cost was estimated earlier to be in excess of \$50 B. Efforts to fight the war on drugs have strained practically every aspect of state and local governments, the end result being that many of our inner cities are not able to provide the full range of services which our citizens expect and deserve. Looking first from a criminal justice perspective, the vast number of arrests for drug related crimes, coupled with limited space in prison, has resulted in a situation where in New York City only 15% of those arrested can be sent to jail at all. The odds are only slightly greater in Washington, D.C., and in other large metropolitan areas. 31 As noted earlier, prisons are already filled to 116% of their rated capacity. Furthermore, for those sent to prison for drug offenses, the average time spent in prison is only 22 months, as inmates must often be let out early to make room for new prisoners. 32 These facts coupled together mean that the criminal justice system at the state and local level is ineffectual, permitting crime to grow unabated. As

noted by the former head of the Office of National Drug Control Policy, William Bennett, "There's no way to win when the dealer on the street looks out and says, 'The odds of my going to jail are one in five.' The odds have got to get better."³³ The drug problem encourages other types of crime to grow unabated as well. In many large cities, thefts of property valued at less than \$10K are not even investigated, due to a lack of resources.

The crisis in the criminal justice system financially prevents state and local governments from addressing other social problems that are in dire need of attention--eg., improving educational programs and providing adequate shelter for the homeless. It even prevents providing adequate drug treatment facilities for those who wish to turn away from drugs.

Another impact on governmental services is the potential for corruption of governmental officials. While only a small percentage of those who are involved in the drug effort succumb to temptation, the damage they do to confidence in the government is significant. The much publicized case of Marion Barry, former mayor of Washington, D.C., perhaps exemplifies this point best. Not only are the decisions he made as mayor now brought into question, but the bad influence he has had on young people is immeasurable. In many ways Mr. Barry's use of illegal drugs had international ramifications for the United States. The government of Colombia questioned whether their efforts should be modified, given that the American government did not succeed in placing Mr. Barry in jail, even though he was obviously guilty.

Social Impact

Perhaps even more important than the economic and governmental issues, has been the impact drugs have had on family structure and other social institutions. Many inner city children now see drugs as the road to success as opposed to our traditional model of education in the schools and career development and progression in the workplace. As William Bennett noted,

. . . Jobs paying the minimum wage don't hold much of an appeal when youngsters have the opportunity to make \$300 or \$500 or \$1,000 a day. Drugs are so pervasive, their allure so strong, the money so easily obtained, the draw of evil so powerful—and the power to resist so feeble—that we simply should face reality and surrender any quaint notion we continue to harbor about children resisting drugs. . . However, it violates everything a civil society stands for. . . 34

Statistics indicate that young black males are responsible for much of the drug-related violence in our inner cities.³⁵

According to Calvin Rolock, President of the United Black Fund, drug-related homicides in Washington, D.C., are "a black problem . . . we can't lay this on racism, because it's black on black."³⁶ Benjamin Hooks, Executive Director of the NAACP, has observed that "Drugs are doing to us what the Ku Klux Klan could never do-destroy our families."³⁷

Sadly, the following story illustrates that drug trafficking can rob innocent bystanders of their hopes and dreams and even their lives:

On a sweltering night this past July, Everne Johnson was enjoying some fresh air outside of her housing project in South Norwalk, Connecticut. The 25-year-old woman was 8 months pregnant, and despite the crime and poverty that surrounded her, she had high hopes that her own baby would grow up to enjoy a happy and fruitful life.

She never got the chance to see her baby. Everne and another resident of the housing complex, 18-year-old Shawn Clemens, were gunned down in a hail of machine gun fire. Shawn and Everne were both fatally wounded in the attack, and although the staff at Norwalk Hospital made a heroic effort to save Everne's baby, she too died later.

Norwalk police are still investigating this crime, but they believe that it involved a turf war between drug dealers from New York City and Fairfield County. There is no evidence that Everne or Shawn were involved with drugs. They were simply caught in the crossfire of a vicious, drug-related crime.³⁸

Unfortunately, the above is just one of many similar stories.

Numerous incidences of young children being caught in the crossfire exist as well.

There was a time when Americans watched the news at night and saw naked violence only in far away places like Beirut or Soweto. Today, that story is almost commonplace in our own cities. One must wonder what tourists to our nation's capitol, Washington, D.C., must think about American values and ideals. The FOX television network airs a program nightly in the Washington, D.C., area following the late news entitled "City under Seige." That program has been on the air for the past few years and reports on the violence which has occurred within the past day, most of it drug related.

And lastly, drugs seem to rob mothers of their most basic primordial instinct of caring and nurturing for their young. The

recent phenomenon of "boarder babies" brings into focus the severe negative social costs associated with drug abuse.

The cumulative effect of the economic costs, the diminution of governmental services, and the social impact in terms of lost lives and human suffering raise the question whether our citizens, particularly in the inner cities, are being provided with the inalienable rights of life, liberty and the pursuit of happiness with which we were to be endowed.

International Impact

Notwithstanding the considerable negative consequences which drug trafficking is having on the domestic homefront, it was principally because of the international impact that drug trafficking was deemed to be a threat to our national security. On April 8, 1986, President Reagan signed National Security Decision Directive 221. That document noted that "Criminal drug trafficking organizations can corrupt political and economic institutions and weaken the ability of foreign governments to control key areas of their own territory and populace." The directive further noted that "Some insurgent and terrorist groups cooperate closely with drug traffickers and use this as a major source of funds." On the directive funds."

While drug trafficking has had negative consequences for many foreign governments, its most acute impact has been felt in Latin American countries, and more specifically in Colombia, Bolivia and Peru. Not surprisingly, these are the principal growth and production centers for cocaine.

As with the domestic impact, the threat to Latin American governments can be organized along essentially the same three lines--social, economic and political. However, in reviewing this analysis it is particularly important to recognize that, unlike in the United States wherein democracy has been firmly entrenched for over 200 years, many Latin American countries are relatively new to democracy and those principles have not taken firm root. The general population in many cases is somewhat uncertain of its value in that democracy has yet to bring prosperity. Many Latin Americans view the drug trade with mixed emotions. While most abhor drugs on a personal level, they consider the drug problem to be less important than other issues such as unemployment and spiraling inflation. (An analogous statement could be said of the American government as well when one considers that the drug budget has been subjected to mandatory Gramm/Rudman/Hollings across-the-board budget costs.) Economic

It is particularly difficult to separate economic, governmental and social issues in the analysis of Latin America, as the three issues are intensely interwoven. The distribution of wealth in this region is more stratified than in the United States. There is a tremendous underclass, and the government simply cannot provide the social/safety net that Americans enjoy. The drug trade provides a source of employment to many farmers who would otherwise be unemployed. Economic imbalance exists though, even in the drug trade. Major drug dealers have accumulated incredible sums of wealth, as indicated by Pablo

Escobar Gaviria (now incarcerated in Colombia), Gonzolo Rodriguez Gacha (now deceased) and Jorge Luis Ochoa Vasquez appearing on Porbes magazine's 1989 list of the world's richest men. As of June, 1989, their combined holdings of real estate and properties was estimated to be \$6 billion. Undoubtedly, additional billions are secreted away in banks and safe deposit boxes worldwide. Indicative of the corrupting influence which they could wield, they offered to help pay off Colombia's foreign debt if they were not prosecuted for their crimes. This economic imbalance between a government owing \$10 B of foreign debt and struggling to make ends meet and drug lords possessing billions of dollars can and does have severe social and political consequences.

<u>Social</u>

Coca cultivation and processing has brought income which would not otherwise be available to many rural farmers and peasants. For example, in Bolivia where approximately 20% of the population is unemployed, the cocaine industry directly employs 5% to 6% of the population, approximately 350,000 to 400,000 people. Many others are employed indirectly. In Colombia, it is estimated that 100,000 peasants are directly employed in the drug trade, and an additional 400,000 are indirectly employed.

Drug dealers have been able to provide services which the formal government has not. Bruce Bagley notes that drug traffickers

. . . have also donated lavishly to local causes, built schools and low income houses, clinics, churches and soccer stadiums. The

However, their benevolence has been more than offset by a severe negative social cost to the general population. In September, 1989, Newsweek reported Colombia to be "an almost unimaginably violent place: 15,000 murders a year, 41 murders a day, may of which are drug related." 46

The government's efforts at fighting drug traffickers naturally detract from their effort to provide broad-based economic and social development programs.

Political Impact

Colombia has been in a state of civil war since August 18, 1989, when drug traffickers arranged for the assassination of Senator Luis Carlos Galan, a leading presidential candidate who was opposed to drug trafficking. In response to this attack on the fundamental principle of democracy, the former President of Colombia (Virgilio Barco Vargas) left no doubt of his resolve when in a televised address to his nation he stated, "Listen well, Colombia is at war. This is not a mere rhetorical expression: this country is at war against drug traffickers." 47 In response the drug lords sent a message stating,

We declare total and absolute war on the government, on the industrial and political oligarchy, the journalists who have attacked and insulted us . . . and everyone else who has persecuted us.⁴⁸

In Peru the Sendero Luminoso (shining path), a fanatically Maoist guerilla group, seeks to overthrow the government and install a Chinese-style social revolution. A significant portion

of the funding for this effort comes from the drug trade. The Sendero Luminoso provide protection for coca farmers, and also serve as brokers to insure the Peruvian farmers receive a fair price for the coca leaves from Colombian processors. It has been estimated that the Sendero Luminoso raise approximately \$30 million annually in this manner.

The democratic government of President Pujimora therefore is faced with the difficult dilemma of attempting to control an insurgency, while also not encouraging the coca-growing peasants and farmers who receive their protection from the insurgents to join forces with them.

Recognizing again the complex interrelationship which exists between the economic, social and political aspects of the drug trade in South America, simply stated it is not in the best interests of the United States to permit drug traffickers to have such a destabilizing influence on fledgling democracies in our sphere of influence.

Recognizing both the domestic and international consequences of drug trafficking, National Security Decision Directive 221 elevated drug trafficking to an issue of national security. The March, 1990, National Security Strategy of the United States states:

Traffic in illicit drugs imposes exceptional costs on the economy of the United States, undermines our national values and institutions, and is directly responsible for the destruction and loss of many American lives. The international traffic in illicit drugs constitutes a major threat to our national security and the security of other nations.³⁰

ANALYSIS OF STRATEGY

As indicated earlier in this paper, the analysis of the root causes of the drug problem has changed. Early in the 1960's the problem was thought to stem principally from underlying social problems of unemployment, poor housing and the vast array of other problems encountered in our inner cities or ghettos. Later in the 1960's and 1970's the problem spread to a much wider segment of the population. By the late 1980's the problem was across the full spectrum of society. Today, the typical drug user is a middle-aged white male. Unfortunately, no logic can be advanced to support this widespread use other than pure desire. As the drug problem has changed, so too has the overall strategy to address the problem.

The drug war has been levied against an intractable problem, perhaps unlike any which the government has had to deal with in the past. Many analogies have been made between the drug war and the Vietnam war. In Vietnam, the military won practically every tactical battle, yet the end of the war would never seem to be at hand. In the drug war the government has launched and won many tactical battles as well; yet the problem has grown in scope, not diminished. In many respects, the tactical victories have brought unanticipated and unintended consequences, as will be discussed in the ensuing sections.

President Nixon's Strategy

Prior to 1968 when President Nixon took office, the government's efforts were in essence a traditional law

enforcement strategy. The Federal government was to work on the highest level drug traffickers, and the state and local governments were to work on mid-level and street level traffickers. The size of the Federal law enforcement workforce relative to the drug underworld was such that the government's efforts could be described as providing a deterrent, as the law enforcement staffing could not work on all drug violators, only a percentage of the total.

President Nixon was the first to change this strategy by taking a more international approach. He instituted Operation Intercept on the Mexican border, the principal port of entry for marihuana (which was the principal drug of choice at the time), and required the U.S. Customs Service to search each and every conveyance crossing the border. This effectively closed the border to commerce and had a significant negative economic impact on Mexico. President Nixon advised the Mexican government that the border would remain closed until they pledged to initiate action against marihuana traffickers. After one month, the Mexican government acquiesced and border operations were returned to normal.

President Nixon initiated similar economic pressure against Turkey, from which 80% of the supply of heroin was obtained. President Nixon threatened the curtailment of U.S. military and economic assistance if Turkey (a NATO ally) did not exert pressure on their farmers to switch from opium cultivation to other products, as they had previously agreed. Turkey

concurred and the Turkish heroin problem was eliminated elatively quickly.

As Jeffrey Record has noted: "Among the many lessons to be draw, from a proper study of military history is that winning battles and even campaigns is not the same as winning wars." 53

That statement somewhat epitomizes the drug war, for President Nixon's efforts were successful at eliminating the most immediate threats, but the long-term effect was not the desired one.

The crackdown on Mexican marihuana cultivation and smuggling opened the door for Colombian drug traffickers to enter the market. However, it would be impossible to definitively state that these violators would not have entered the drug trade anyway. Unfortunately, Colombian traffickers were far better at organizatinal and logistical skills than any drug trafficking organization that preceded them. The Colombians revised the method of smuggling from using "mules" (i.e., persons carrying relatively small amounts of drugs secreted on their bodies or in luggage) to using freighters and fishing trawlers which would rendezvous in international waters with smaller fishing boats or other pleasure craft. By the end of the 19.0's, Colombia supplied approximately 75% of the marihuana consumed in the United States.54 Although the greatest profit in drug trafficking is made at the street level sale, Colombian traffickers in the marihuana trade stopped at the wholesale level.

The crackdown on Mexican marihuana, coupled with the Turkish crackdown on opium cultivation, caused Mexican traffickers to

switch to the heroin trade. The economics of heroin cultivation, with a much higher profit margin than marihuana pound for pound, permitted Mexican traffickers to penetrate the U.S. Mexican border with only small amounts of the contraband and still make far more money by cultivating opium than any other legitimate crop. By 1975 Mexico was supplying approximately 90% of the heroin consumed in the United States. After yet another Mexican government crackdown, the Mexicans were again out of the drug business momentarily. Heroin production shifted to Afghanistan. Pakistan, Iran, Laos, Burma and Thailand, which still continue today as suppliers of the U.S. market. Recently, Mexican heroin has surfaced again. Also, Mexico has again emerged as a major supplier of marihuana to the United States. Current estimates are that Mexico supplies in excess of 70% of the marihuana consumed in the United States.

Collectively then, President Nixon's approach to the drug problem was to use a traditional law enforcement approach domestically, coupled with using international economic pressure on the principal drug-producing countries for them to stop the flow of drugs out of their country.

President Reagan's Strategy

The next major policy shift occurred during the Reagan Administration. At his first press conference in March, 1981, newly elected President Ronald Reagan said his administration would refocus U.S. anti-drug policy on the demand side of the trafficking equation. "It's far more effective if you take the customers away than if you try to take the drugs away from those

who want to be customers," he said. 56 However, President Reagan pursued a strategy quite different from what he espoused. During his terms in office, spending on demand reduction remained relatively constant, while supply reduction expenditures more than tripled. Recognizing that the vast majority of drugs was entering the U.S. market from the Southeastern part of the United States, in January, 1982, President Reagan established a South Florida Task Force and appointed Vice President Bush to spearhead the effort. The Task Force was to interdict the drugs before they entered our border. The South Florida Task Force was the forerunner of the National Narcotics Border Interdiction system (NNBIS), which had the same charter (interdiction) for all of our borders. In fact there were many good reasons for establishing the South Florida Task Force, and one could understand the President's frustration. The Florida economy was being acutely impacted by "narco-dollars," and the level of violence in the Miami area was increasing daily. Considerable pressure was placed on President Reagan by Senator Paula Hawkins (R.-Florida) for action. Given that its primary mission was interdiction, the South Florida Task Force could also be viewed as a tactical success as the quantity of drugs seized in this geographical area far exceeded past seizures. However, the ultimate effect of this tactical success was again an unanticipated consequence.

The Colombian drug traffickers, principally in the marihuana business heretofore, switched to the cocaine business with a new strategy and new levels of effectiveness. The Colombians entered the cocaine trade with a vertically integrated organizational

structure. That is, the Colombians controlled the market from processing to wholesale smuggling, all the way down to distribution at the street level. The principal method of smuggling into the United States became small planes and boats. However, large quantities were smuggled on commercial cargo as well. Given the higher profit margin for cocaine vice marihuana, far greater profit could be made. The significance of this new method of operation was that the street level price of cocaine actually dropped by as much as 80% during the 1980's.57 This destroyed President Reagan's "demand reduction" strategy which was always pursued with an economic model as its basic logic. The government's strategy had always been that as the supply was curtailed, the price of the drug would go up, and subsequently demand would go down, either directly (people can't afford the drug) or indirectly (the "pleasure" of using the drug isn't worth the price).

In analyzing the drug trade, it is always difficult to make definitive statements on cause and effect relationships. It will always be inconclusively debated as to whether the increased supply of cocaine created greater demand, or whether the demand had always existed and the supply finally caught up. In either case, the demand for drugs was higher than at any time previously, and illogically higher than believed possible. Illogically—because by now the debilitating effects of drug use were apparent, and the typical user was better educated than ever before and was aware of the harm, yet continued to consume the drug.

The next policy shift was actually a return to the previous strategy of a law enforcement approach; however, this time pursuing the drug traffickers in the source countries. The one drug initiative which President Carter had embarked on during his term was an extradition treaty with Colombia. Under the treaty, Colombia would extradite their citizens to the United States to stand trial for drug trafficking. The President of Colombia (then Julio Cesar Turbay Ayala) recognized that the drug traffickers could not be brought to justice in Colombia, given their ability to influence the judicial system either by corruption or intimidation. This treaty was not used until 1984, when President Betancur of Colombia deported six drug traffickers after the assassination of the Justice Minister. As Merrill Collett notes, ". . . extradition orders came at a high price. The judges and government officials who approved extradition requests were routinely murdered."58 Instead of persuading drug violators to cease and desist operations, the extradition threat caused drug violators to launch a violent counter-attack, and they routinely assassinated everyone who impeded them. The end result of this initiative is a virtual state of civil war which still exists in Colombia today. The Colombian government has been attempting to stop the violence by guaranteeing that extradition will not be pursued if drug violators surrender to authorities. Also, a promise that reduced sentences will be provided for past crimes was given as an added incentive. Given the vast sums of wealth to be gained and with the organizational and staffing networks already in place, it is assumed that anyone who does opt out of the drug business will be replaced, and the drug traffic will continue to flourish.

In July, 1986, the U.S. government launched another phase of the strategy to attack drugs at the source. "Operation Blast Furnace" employed U.S. military forces working in conjunction with agents of the Drug Enforcement Administration and the Bolivian military, in the jungles of Bolivia destroying processing sites and clandestine airfields. This strategy too proved to have some short-term disruptive effect, and thus could as well be viewed as a tactical success. However, the presence of U.S. military forces conducting operations on Bolivian soil brought forth nationalistic concerns about sovereignty. The democratic government almost toppled as the result. Follow-on operations of Operation Blast Furnace continue under the name Operation Snowcap, with the U.S. military being utilized in a training and security role with no widespread opposition. While the use of the military in the Blast Furnace operation did cause a storm of protest, there were some intangible benefits as well. This signalled the willingness and resolve of the U.S. government to get the drug problem back under control, including using extraordinary means.

To summarize President Reagan's strategy then, he believed that demand reduction could be achieved by interdicting drugs at the border, by working with foreign governments (principally Colombia) to extradite drug violators to the United States to stand trial, and by attacking drugs at the source. Perhaps the most significant change which President Reagan brought to the

drug effort was a demonstrated willingness to use the military in the "war." While it could be argued that the first use of the military was only a short-term success, from a broader strategic perspective, it may have been the signal that the American people needed to see to convince them that America's national security interests were at stake.

President Bush's Strategy

The last major shift in strategy occurred in February, 1990, at the Cartagena Summit. This Summit produced an agreement that the drug problem was to be handled on a broader spectrum. As noted by Melvyn Levitsky, Assistant Secretary for International Narcotics Matters,

The President's historic meeting in Cartagena, Colombia, in February (1990) signaled a new era in narcotics cooperation with our Andean patners. No longer is the drug issue simply a law enforcement problem. We are working with Colombia, Bolivia, and Peru to explore ways to strengthen law enforcement, military, intelligence and economic cooperation, including opportunities for expanded trade and investment in order to attack the drug trade in a comprehensive way.⁵

Following the Summit, in June 1990, President Bush announced the Enterprise for the Americas Initiative to help forge a genuine partnership of free market reform to promote economic growth and political stability in Latin America and the Caribbean. It should be noted that both of these efforts were preceded by the National Drug Control Strategy of September 1989 in which the President proposed \$2.2 B over five years to augment law enforcement, military and economic resources in Colombia, Bolaria

and Peru for the drug effort. President Bush's strategy then recognizes that law enforcement alone cannot solve the problem.

Intermeshed with all of the above have been several changes on the domestic part of the issue--new tougher laws, major increases in the size of the drug budget, and the emergence of a new definition of "demand reduction" which focuses on an educational approach vice an economic model.

The Anti-Drug Abuse Act of 1988 required the President to submit to the Congress a National Drug Control Strategy which was to be updated annually. The first strategy was submitted in September, 1989. In a televised address to the nation, President Bush announced, "With this strategy, we now finally have a plan that coordinates our resources, our programs and the people who run them."62 The President further noted, ". . . the basic weapons we need are the ones we already have, what has been lacking is a strategy to effectively use them."63 The President then described the four major elements of the strategy as 1) Law enforcement--and he called for an enlargement across the board in the law enforcement budget. 2) An international approach--to include the \$2.2 B five-year plan mentioned earlier as well as enhancements for interdiction. The President again discussed the willingness to use the U.S. military on foreign soil if requested. 3) Drug treatment, and 4) Education and prevention programs. The President then stressed local, community and family involvement were necessary when he said, "the war on drugs will be hard-won, neighborhood by neighborhood, block by block, child by child."64 Perhaps the most significant aspect of the

speech was the recognition and admission by the government that government alone could not solve this problem, that greater community effort would be needed.

Demand reduction is now recognized as the key element to be achieved. U.S. Attorney General Richard Thornburgh noted that as well when on August 3, 1989, he submitted a report to the President on Drug Trafficking in which he stated:

Ultimately, the drug war will not be won by drug agents or prosecutors in the courtroom. Although law enforcement is part of the solution, we will only achieve victory when a winning battle is fought in the classroom, in the workplace, in houses of worship, in the community, and most important, in the family. 65

CLAUSEWITZIAN ANALYSIS

Earlier in this paper it was mentioned that an analysis would be conducted to determine if the principles of war espoused by Carl von Clausewitz could be applied to the drug war. Upon review, it appears that his principles do apply, even though the drug war is far from a conventional war.

Objective of War

One of the very basic principles espoused by Clausewitz is that a nation should not enter into war unless it knows what it intends to achieve by that war. His exact words were:

No one enters a war, or rather no one in his senses should do so, without first being clear in his mind what he intends to achieve by that war and how he intends to conduct it.66

This perhaps points to the greatest shortcoming that America faced in the drug war prior to the establishment of the Office of National Drug Control Policy (ONDCP). That office was established by the Anti-Drug Abuse act of 1988 and, among other duties, was charged with the responsibility for developing a comprehensive "drug control strategy" to include quantifiable objectives. 67 While the federal government previously had documents called drug control strategies as early as 1973, those strategies tended to be a description of current activities with no real coordinating mechanism to insure that the various parts of the federal drug effort fit together into one truly effective strategy. Furthermore, the earlier strategies offered only

general goals of "reducing drug abuse," and not specific objectives of how that goal was to be achieved. When introducing the first strategy prepared by ONDCP to the American public, which discussed the full spectrum of anti-drug abuse plans, policies, and resources, President Bush stated, "The basic weapons we need are the ones we already have . . . what's been lacking is a strategy to effectively use them." 68

I believe one of the most telling problems, heretofore, was the lack of a comprehensive analysis covering the full spectrum of operations from enforcement, to interdiction, to prison, to education and treatment. This lack of a comprehensive analysis has caused imbalances to occur which still exist. As an example, it was noted earlier that prisons are filled to 116% of rated capacity, resulting in individuals not being sent to jail although they committed crimes. For those who are sent to jail, the sentences are reduced or they are released earlier than they should to make room for new prisoners.

An imbalance also exists on the treatment side of the effort. The drug war has always had as one of its basic tenets a strong desire to encourage those taking drugs to get into treatment. And yet, adequate treatment facilities have never been available. Numerous estimates are contained in the literature as to how large the shortfall is. Some state that 40% of addicts seeking treatment are turned away, 69 while others say the figures approach 90%. 70 As noted by Robert Stutman, a retired DEA senior official, "Imagine if I had cholera and walked into a city hospital and the doctor said, 'Come back in seven

months.' It would be a scandal, but that's exactly what happens every day to addicts seeking help."71 Even if the lowest estimate of 40% shortfall is correct, that figure represents a considerable lost opportunity.

It must be understood that even though self-inflicted, addiction is a disease. The nature of the disease is such that people will only seek help and treatment when they have reached such a low point in their lives that they are willing to turn away from addiction. Given time to regroup or get past that low point, the addict may no longer seek treatment when it becomes available. The drug control strategy recognizes that this needs correction and establishes the increase of treatment services as a goal.⁷²

The two examples cited (prison overcrowding and treatment shortages) are just that—examples. Numerous other imbalances exist in the system that could be expounded upon as well, but I believe the point is made that the drug effort has been hampered in the past by a failure to follow Clausewitz's dictum not to enter into a war without being clear how to achieve your objective. With the development of a comprehensive national drug control strategy by ONDCP, this basic flaw has been corrected.

War is an Extension of Politics

Another basic principle espoused by Clausewitz is that war is an extension of politics, and I believe this to be true with the drug war as well. In essence, the amount of crime that society will tolerate is a political decision, which is usually arrived at by means of some form of cost/benefit analysis which

has as a basic tenet some acceptable level of crime. Even though the drug war is an unconventional war, it is nonetheless still influenced by the political process. Clausewitz notes that it is for the political leader to determine whether the war will be total and absolute or a more limited war with limited objectives. Prior to having a formal written strategy, the political leaders (the President and Congress) were less than fully clear as to how they wanted this war prosecuted, which caused some miscalculation by those charged with the prosecution of the war. Perhaps the clearest example of this is the former Commissioner of Customs, William von Robb. Mr. von Robb resigned questioning whether the government was truly interested in the war effort. Responding to very bellicose rhetoric coming from the political establishment for such things as death to drug dealers, and holding everyone accountable, Mr. von Robb initiated some very intensive programs. Perhaps the most notable program he established was "zero tolerance" which he stated "draws the line in the dust with drug smugglers, drug users and indifferent observers on one side and an energized and outraged American public . . . on the other."73 Under this program, approximately 1,500 cars, motorcycles and boats were seized during a three-month period in 1988.74 Despite the fact that Customs officials were enforcing laws passed by the Congress and the President, the Customs Service was required to terminate the program by "angry lawmakers." 75 Mr. von Robb made several other political miscalculations by "proposing to shoot down suspected drug smuggling planes" and offering multi-million

dollar bounties for drug kingpins--a plan he called "Operation Palladin." 76

The lack of a clear, comprehensive drug control strategy contributed to the difficulties of those charged with prosecution of the war. The political establishment was offering political rhetoric which was contradictory, vague and unclear and, consequently, misinterpreted. As Michael Howard notes, Clausewitz would state that "a campaign plan that ignores the political object of the war is useless and counterproductive."77 Clausewitz could see the difficulty imposed on von Robb. Brodie notes that Clausewitz's position would be that "generals like to win decisively whatever contests they are engaged in, and do not like to be trammelled by a political authority imposing considerations that might modify that aim."78

Although the zero tolerance effort was aborted, it did help shape future strategy. Indeed, the new strategy recognizes that the basic zero tolerance premise was sound but now postulates that "certainty not severity" of punishment is important.79

Priction

Earlier in this paper I reviewed the different strategies that have been employed in the drug effort and how they have changed over the course of time. To quickly summarize, President Nixon used a basic law enforcement approach and international coercion. President Reagan used basic law enforcement, intensive interdiction and a plan to attack drugs at the source. President Reagan also espoused demand reduction but, in essence, attempted

such by cutting off the supply. President Bush's plan has a greater focus on international cooperation and demand reduction through prevention, education and treatment, while continuing the basic law enforcement approach. While interdiction is also part of President Bush's strategy, it is not as intensive as under President Reagan.

I reviewed earlier how some of the strategies have resulted in unanticipated and unintended consequences. In looking at the developments which have occurred, some have seen fit to characterize the government's program as a failure, and indeed even question whether the government has caused the problem to escalate. Most of these critics are academicians who have not served in any drug policy making capacity whatsoever. Clearly that analysis is a retrospective analysis of events (some might even call it hindsight). To accept those analyses, one must presume that all of the various governmental officials were collectively incompetent or, worse, Machiavellian. I find both of those charges to be unsupportable. I believe that Clausewitz can provide insight into this issue as well. Brodie notes that Clausewitz believed that "war is not an exercise of will directed at an inanimate matter but rather will directed at an animate object which reacts." 80 Clausewitz further notes that in war "everything is uncertain and calculations have to be made with variable quantities." *1 The "endless complexities" which Clausewitz discusses certainly exist in the drug var as well. Ιf one were able to forecast how the drug trade were to change or continue to evolve before initiating a plan, they clearly would

not initiate actions that would exacerbate the problem. I submit that even if left unattended (that is, no change in governmental strategy), the drug trade would change and evolve of its own accord, continuously seeking new products, markets and transportation methodologies anyway. Also, I believe that new cartels would enter the market given the enormous profits available. Therefore, I believe the major changes which have caused the drug problem to escalate were for the most part beyond control, given the level of resources dedicated to the problem.

Clausewitz notes that "the original political aims can great!y alter in the course of war, and may finally change entirely, since they are influenced by events and their probable consequences." Clausewitz further stated, "In war, many roads lead to success, and . . . they do not all involve the opponents outrights defeat." It hink both of these statements contribute to a more appropriate understanding of how and why the strategy has evolved. Given that the supply of drugs seems endless, and numerous markets to produce them exist, the government now accepts that the only true long range solution lies in the demand reduction arena. It is also reasonable to conclude that demand reduction strategies will not work for the entire user population. The second major new initiative is a recognition that only economic development and growth of drug producing countries will provide alternatives to the drug trade.

Remarkable Trinity

To succeed in war, Clausewitz said, required a "remarkable trinity" of the government, the people and the military to unite

in the war effort. I believe that the success we have not achieved to date in the drug war can be directly linked to the trinity not coalescing behind the war effort. Speaking first to the government side, I earlier pointed out the imbalances which have developed due to a lack of a comprehensive strategic plan. Hopefully, those imbalances will now be resolved. Despite the need for a comprehensive strategic plan that all can support, the drug effort has not produced that plan to date. There is no clear consensus on how best to prosecute the war, and none will probably emerge. If ever there were a non-partisan issue, I believe the drug problem to be it. Yet, while we have had economic and budget summits to develop bi-partisan plans which have been supported, that level of cooperation in plan development has not happened in the drug war. "There are a total of 53 committees in the House and 21 in the Senate which have some jurisdiction over U.S. drug policy."84 After release of the first drug strategy, William Bennett was required to testify before 12 separate committees. 85 A considerable degree of "politicking" occurs over the drug issue. Drugs are a topic which practically every voter considers when casting his/her ballot, and every elected official wants to be seen in some way being in the position of leading the fight against drugs. The Cartagena Summit was able to forge an agreement between four separate countries on how best to handle the drug issue, and yet, on the homefront, consensus with Congress on the best course to pursue cannot be reached.

The second element in Clausewitz's trinity is the people. This is an area where I feel the drug effort has been hampered as well, and perhaps even hindered. In the recent past, attorneys assigned to the Department of Justice filed a class action lawsuit to prevent establishment of a random drug urinalysis program which would apply throughout the Department as a whole. (To date, that lawsuit has not been settled.) Recognizing that Department of Justice lawyers tend not to be strong civil libertarians, it brings into clear focus that many people in prominent positions do not consider the drug problem to be of such importance that they are willing to in any way infringe upon their civil liberties. It is noted that no one objects to luggage searches and going through x-ray machines at airports. Nor is there much opposition to random roadblocks to catch drunk drivers. Random drug testing has proven to be an effective drug deterrence strategy which, if widely implemented, would curtail drug use. The U.S. military is perhaps the classic example of the effectiveness of drug testing.

Although on the surface the drug war seems to have engendered widespread popular support, I believe that support to be very inconsistent, and very passive. Although President Bush has indicated his belief that drug use has gone from acceptance to tolerance to condemnation, I believe the general attitude to be more of passive indifference. Given how wide and pervasive the drug problem is, it could not continue to exist at that level if widespread condemnation existed. As noted earlier, 68% of all drug users are employed. Clearly, drug use produces recognizable

symptoms (mood swings, absenteeism, lateness, etc.) which co-workers could detect and report. Drug users are not anonymous, faceless personnel. If the "people" in general objected, then drug use would diminish considerably.

I believe the problem of lack of widespread support of the people to be attributable to the lack of a clear consensus of government officials. The government needs to coalesce and develop a clear model for popular support—and effectively market and sell the plan. I believe only then would the widespread popular support that is urgently needed be provided.

The last element in Clausewitz's trinity is the military. For a considerable time period the military appeared reticent about getting involved in the drug war, although I will readily admit their reticence was for good reason. The drug problem had always been considered a law enforcement problem which the military felt was better left to civilian agencies. However, as the problem has expanded, and more importantly, expanded beyond the capabilities of civilian agencies alone, the military has accepted that their involvement is necessary and they can make a valid contribution to the overall effort. Evidence of the shift in position can be found in the differing statements made by Defense Secretaries Weinberger and Cheney.

In 1985 Secretary Weinberger wrote to the Congress.

"Reliance on military forces to accomplish civilian tasks is detrimental to both military readiness and the democratic process."*

In 1988 Secretary Cheney stated that the Defense Department "is an enthusiastic participant in the nation's drug control effort and can make a substantial contribution if its assets are used intelligently and efficiently."87

The military role has been evolving since 1981 when the Posse Comitatus laws were first revised to permit military involvement. The involvement of the military in the war on drugs signals, perhaps more so than any political rhetoric could, the seriousness of the drug problem, and the intent of the government to get this problem back under control.

In summary regarding the trinity, I will note that some progress has been made to coalesce the three elements into one "remarkable trinity," but more needs to be accomplished. Until the trinity does coalesce, individual members of the trinity will have individual successes, but victory as a whole will not be achieved.

Defensive Strategy

I think it would be appropriate to note that the government has been deploying a defensive strategy. Brodie notes that Clausewitz's view is

the object of the defense is to preserve, which is a negative object, and it therefore follows (in the words of Clausewitz) that it should be used only so long as weakness compels, and be abandoned as soon as we are strong enough to pursue a positive object. 88

The danger in a defensive strategy is, as Clausewitz notes,

"defensive victories have rarely happened in history."
I think
it is fair to say that the drug war has been a limited, defensive

war due to resource constraints, and the fact that the "remarkable trinity" has yet to coalesce.

As further noted by Clausewitz, "There is a limit to which brilliance of leadership can compensate for inferiority in numbers." During the period from 1988 to the projected budget for 1992, the drug control budget will have doubled. Given the deficit reduction spending cuts which are happening in other areas of the budget, I think it fair to conclude that this is a recognition that the resources in the past were wholly inadequate to address the problem. Hopefully, the resources necessary will continue to be supported in the future as well. As Clausewitz notes, "Moderation leads to logical absurdity." 1

One additional result of fighting a limited war is that some have tired of the fight altogether and are now proposing decriminalization of drugs, and some even propose outright legalization. Some who are calling for legalization are civil libertarians who for philosophical reasons believe the government should not restrict freedom of choice. The more troubling group, however, are conservatives such as columnist William Buckley, former Secretary of State George Schultz, and Federal Justice Robert Sweet of New York. The essence of their argument for legalization is that the government has not succeeded in its efforts and therefore alternative, albeit radical, approaches should be tried. Clausewitz attributes the reversal in battle to "the loss of morale." My question is, Would these learned individuals be proposing legalization if the government rededicated its efforts, provided the necessary resources, and

started to make significant in-roads in the drug traffic? I believe not.

IS THE DRUG WAR WINNABLE?

Clausewitz described war as essentially being "a conflict of wills"93 and noted that victory did not always go to the side with the most firepower. The National Drug Control Strategy recognizes that the drug war will be a contest of wills, by establishing a very modest quantifiable objective of a 50% reduction in current drug use over a 10-year period. 94 In this regard, it would appear that progress has been made over the last several years. The most widely used measure of drug use is the National Household Survey on Drug Abuse. That survey estimated 23 million current users of drugs in 1985, i.e., within the past month. 95 In 1988 that estimate dropped 37% to 14.5 million, 96 and in 1990 a further reduction of 11% was recorded, with a projection of 12.9 million current drug users. 97 This data is supported by reductions in the emergency room visits for drug use as reported to the Drug Abuse Warning Network (DAWN). 98 As noted by the President, though, in his cover transmittal to Congress of the February, 1991, Drug Control Strategy, ". . . much remains to be done and serious problems still confront us. . . "",

The drug war will require patience and fortitude if we are to succeed. Americans tend not to be patient, particularly where war is concerned. Thankfully, though, the drug war can point to the cold war as a model for success. Patience, fortitude and a willingness to do battle with the enemy wherever and whenever paved the road to success. I believe that success in the drug

war is similarly achievable. In many respects both the drug war and the cold war were fought for the same reasons—an American ideal of life, liberty, and the pursuit of happiness. And when those values have been challenged, America has always emerged victorious, and will do so again.

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